

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

Knowlton et al,

Plaintiffs,

Case No. 20-CV-1660

v.

City of Wauwatosa et al,

Defendants.

MINUTE SHEET

Hon. Nancy Joseph, presiding.

Deputy Clerk: Ross Miller

Type of Proceeding: STATUS CONFERENCE

Date: April 23, 20201 at 1:00pm

Court Reporter: Zoom Audio

Time Commenced: 1:05pm

Time Concluded: 1:52pm

Appearances:

Plaintiff: Kimberly Motley, Kate Knowlton, Milo Schwab

Defendant: Jasmyne Baynard, Kyle Moore

Comments:

DEFENSE

- Filed a motion requesting Court seal all documents.
- Restricting discovery will prevent unfair prejudice.
- Discovery contains sensitive information.
- Mayor McBride was not comfortable proceeding with his deposition without an agreement on restricting or sealing parts of discovery and his deposition.
- Informed Plaintiffs that they would not proceed with depositions until decision was made on motion to seal filed April 22, 2021.
- There are documents the Plaintiffs are requesting that Defendants do not want to provide.
- A document in this case was disseminated to a local new organization which was troubling to Defendants.
- Requesting a new scheduling order due to the increase in number of individuals/groups named in the amended complaint and more expansive allegations.
- Did not intend any ill will towards plaintiffs in filing motion/not attending deposition; issues were only brought to Defense Attorneys' attention yesterday.
- Proposed a protective order with Plaintiffs on April 7, 2021.
- Requesting a blanket protective order, an order sealing discovery, ECF No. 24-1 sealed, and a new scheduling order.

PLAINTIFF

- Plaintiffs requested a hearing due to the nonappearance of Mayor McBride to the previously noticed and scheduled deposition.
- Defense were given final notice of deposition date and time on April 2, 2021.
- Parties worked together to select deposition date.

- Believes Defendants were holding the deposition hostage to use as leverage on their request for a protective order.
- Plaintiffs not willing to agree to a protective order or sealing the case.
- Plaintiffs are willing to agree to redact certain personal information in discovery.
- Planning on filing motions for contempt or sanctions regarding the nonappearance of Mayor McBride at the deposition.

COURT

- Has questions about why counsel did not work out issues before deposition.
- Failing to understand why defense did not file a motion for protective order earlier than yesterday.
- Will review any motions for contempt or sanctions after they are filed.
- Court **DENIES** Motion to Seal (ECF No. 28) as premature.
- Court **ORDERS** parties to confer regarding a new Rule 26(f) Plan and to see if they can come to any agreements regarding the sealing or restricting of any specific documents or areas of discovery. If parties still have disagreements after this conference, they may file very specific motions citing the authority of the court to seal or restrict any discovery and the non-moving party will be afforded the opportunity to respond.
- Court **ORDERS** parties to complete and file a new Rule 26(f) plan with the court no later than **Monday, May 3, 2021**.
- **Scheduling Conference set for May 7, 2021 at 9:00am via Zoom.**